## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

NO. 7:14-CV-162-FL

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There are a number of motions pending in various states of maturity, including defendant's motion to dismiss (DE 10), plaintiffs' motion to remand (DE 18), and plaintiffs' motion to stay (DE 24). Also pending is entry of a case management order pursuant to the court's initial order, to which the parties separately have responded. (DE 28, 29).

Issues are presented in the parties' reports about communication problems. Each side views the other as difficult. Plaintiffs present more detail than necessary or appropriate concerning settlement activities. It is clear that this case between former business colleagues, just barely over the monetary threshold to be in this court pursuant to defendant's calculations, is already proving costly for both sides to litigate and there is need for early court oversight.

The court deems defendant's individual report to stand as its response in opposition to the motion to stay. For reasons different than those presented by plaintiffs, the motion to stay (DE 24)

is ALLOWED. Pursuant to Rule 1 of the Federal Rules of Civil Procedure, the court now carves

time out in this case for the parties to focus intently on settling the issues in dispute.

You will confer with each other to discuss what minimum amount of discovery is necessary

to give each side the information it needs to enter into a settlement conference swiftly, and you will

report that jointly to the court within ten (10) days. Your report also shall inform whether a private

mediator is agreed to, or whether there is deemed a need for a court-hosted settlement conference

before a magistrate judge. If the former is agreed to, include in your report the identity of the

mediator and the date of the mediation. If the latter is agreed to, you shall propose three alternative

dates when the parties, including any person necessary to be in the room to effect settlement, are

available.

Until a report is made to this court about whether or not the case has settled, the stay of all

other case activities as herein ordered remains in effect.

SO ORDERED, this the 23rd day of September, 2014.

LOUISE W. FLANAGAN

United States District Court Judge

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